

UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

CIVIL ACTION NO. 2:10-1007

\$475,823.75, MORE OR LESS,
IN UNITED STATES CURRENCY;
TWO REAL PROPERTIES IN
WEST VIRGINIA and ONE REAL
PROPERTY IN KENTUCKY, together
with all improvements thereon
and appurtenances thereto,

Defendants.

(Myra C. Miller, and
John J. Miller;
No pending federal criminal charges)

UNITED STATES MOTION FOR LEAVE TO FILE AMENDED COMPLAINT

Comes now the United States of America, by counsel, Betty A. Pullin, Assistant United States Attorney for the Southern District of West Virginia, and hereby moves the court, pursuant to Rule 15(a)(2), Federal Rules of Civil Procedure, for leave to file an amended verified complaint. As grounds for this motion, the United States provides the following:

1. Through additional investigation, the United States has determined that certain real properties may be subject to forfeiture to the United States for the controlled substance violations alleged in the verified complaint of forfeiture.

2. Since the bases for forfeiting the real properties arise out of the same set of facts forming the bases for forfeiting the defendant currency, it would be more practical and within the realm of judicial economy to have all assets contained within one civil action.

3. The United States has attached hereto the proposed Amended Verified Complaint and a proposed order, for the court's consideration.

WHEREFORE, for the foregoing reasons, the United States respectfully moves the court for leave to file an amended complaint to add three real properties as additional properties subject to forfeiture.

Respectfully submitted,

UNITED STATES OF AMERICA
By Counsel

R. BOOTH GOODWIN II
United States Attorney

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CERTIFICATE OF SERVICE

I, Betty A. Pullin, Assistant United States Attorney, do hereby certify the foregoing "Motion to Amend Verified Complaint," "Proposed Order," and Proposed Amended Verified Complaint of Forfeiture" has been filed and service has been made this 1st day of March, 2011, by electronic service to the following:

John D. Wooton
The Wooton Law Firm
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